

DECISION
TALBOT COUNTY BOARD OF APPEALS
Appeal No. 21-1718

Pursuant to due notice, a public hearing was held by the Talbot County Board of Appeals via video conference pursuant to Board of Appeals Resolution 20-01, passed on June 1, 2020, beginning at 6:30 p.m. on March 8, 2021, on the application of **JBR ARRINGTON ROAD, LLC** (the “Applicant”). The Applicant is requesting a special exception to operate a Greenhouse and Plant Nursery (Wholesale) and an Agricultural Processing use for the handling of trees cut down by Economy Tree Service (“Economy”). Economy, operated by James Roy (alternately referred to as “Mr. Roy” and, collectively with JBR Arrington Road, LLC, the “Applicant”), who is also the principal of the Applicant entity, currently operates from a site in Queen Anne’s County and wishes to implement these functions at the subject property, located at 9007 Chapel Road, Easton, Maryland, to complement Economy’s services. The plant nursery will provide landscape stock for Economy’s customers. The Applicant is also proposing to transport trees cut in Talbot County to the subject property to be processed into firewood and stored onsite to be sold to customers. There will be no public access to the site; therefore, all sales of plant nursery stock and firewood are proposed to be delivered by Economy.

The subject property (the “Property”) is an approximately 20-acre parcel owned by the Applicant and improved with an unoccupied, dilapidated dwelling close to Chapel Road, as well as various other agricultural structures. All existing structures are proposed to be demolished with the exception of the existing greenhouses, two equipment tarp structures and the existing barn. Future plans include a replacement residence along with the associated site improvements included in the Applicant’s site plan.

The Property is shown on tax map 25, grid 18 as parcel 107, and its zoning classification is Town Conservation (“TC”). It is located on the south side of Chapel Road, approximately 1,800 linear feet from the intersection of Chapel Road and Ocean Gateway (U.S. Route 50). It is bound to the west by Chapel Road. On the opposite side of Chapel Road from the Property are lots 1-8 of the Easton Commons commercial subdivision and the Chapel East residential neighborhood under the Town of Easton jurisdiction. The Property is bound to the east and south by Lot 1 of the Mulberry Center commercial subdivision under the Town of Easton jurisdiction, to the south by the Mandarin Easton residential subdivision, also under Town jurisdiction, and to the North by an agricultural parcel and the Galloway Run residential subdivision under Talbot County jurisdiction.

The Applicant purchased the Property in 2020 from Charles Neely, whose sole interest in the property had been to move a circa-1760 manor house to Queen Anne’s County. In March of 2020, the Applicant was cited by the County for operating firewood sales from the Property. A temporary use certificate (#T-20-006) was issued to the Applicant on July 29, 2020 to allow for the installation of a temporary office and restroom facility to facilitate site cleanup as well as permission to locate two temporary tent enclosures for equipment.

The Applicant’s request is made in accordance with Chapter 190 Zoning, Article VII §190-56; Article IV, §190-26 and Table IV-1; and Article II, §190-8.4 of the Talbot County Code (the “Code”).

All participants in the meeting participated remotely by video conference pursuant to the Fourth Amended Emergency Declaration of the County Council of Talbot County, adopted May 26, 2020 (the “Emergency Declaration”), declaring a state of emergency in Talbot County, recognizing the continued threat posed by COVID-19 and allowing for county board and

commission meetings to include an option for participants and the public to “participate by teleconference, live streaming, or other available technology . . .”; and pursuant to Board of Appeals Resolution 20-01, passed on June 1, 2020, implementing a policy to coordinate the Talbot County Board of Appeals Rules of Procedure (the “Rules”) with the Emergency Declaration by defining the term “convene” in Rule 4 of the Rules to include Board members who choose to participate remotely by any of the methods set forth in the Emergency Declaration.

Present at the hearing remotely were Board of Appeals members Phillip Jones, Chairman; Frank Cavanaugh, Vice Chairman; Louis Dorsey, Zakary Krebeck and Paul Shortall. Mr. Roy appeared as Applicant’s principal. Zachary Smith, Esq., 114 Bay Street C, Easton, Maryland 21601, appeared on behalf of the Applicant. Brett Ewing of Lane Engineering, LLC, 107 Bay Street, Easton, Maryland, appeared on behalf of the Applicant. Miguel Salinas, Planning Officer, and Elisa Deflaux, Planner II, attended the hearing on behalf of Talbot County. William C. Chapman was the attorney for the Board of Appeals (the “Board”). It was noted for the record that each member of the Board had individually visited the site.

The following exhibits were offered and admitted into evidence as Board’s Exhibits as indicated:

1. Application for a Special Exception with Applicant’s narrative as Attachment A.
2. Tax Map with subject property highlighted.
3. Notice of Public Hearing for advertising in *The Star Democrat* newspaper.
4. Newspaper Confirmation.
5. Notice of Public Hearing and Adjacent Property Owner List.
6. Standards for Special Exception with Applicant’s responses as Attachment B.

7. Staff Report prepared by Elisa Deflaux, Planner II.
8. Sign Maintenance Agreement/Sign Affidavit.
9. Authorization letter from Applicant.
10. Disclosure and Acknowledgment Form.
11. Aerial Photos.
12. Directions to the Property.
13. Site Plan dated January 15, 2021 by Lane Engineering, LLC.

Mr. Smith said the Property was historically part of Murdoch Flowers' commercial greenhouse operation and sat vacant for several years. It was next purchased by owners who relocated the 18th-century manor house from the Property to a site in Queen Anne's County, an endeavor that attracted much publicity. Those owners, however, had no further interest in the Property after the manor house was relocated, and sold the Property to the Applicant.

Mr. Roy's plans for the Property do not include the relocation of Economy, Mr. Smith said. However, Economy performs significant work in Talbot County and sees increased local demand for trees for customers who want Mr. Roy to plant them on their properties. Currently, Mr. Roy purchases these trees from outside nurseries, but he wishes to eventually have the ability to grow them on the Property for this purpose. Additionally, Mr. Roy hopes to use the Property to process firewood from trees he has removed from customers' properties. Currently, Mr. Smith said, Mr. Roy hauls a tree cut in Talbot County to his facility in Queen Anne's County to process, then sometimes transports the cut firewood back to Talbot County to sell. Talbot County represents such a significant portion of Economy's business, Mr. Smith said, that a decrease in transportation costs by being able to process firewood locally would create a major cost savings and increase in efficiency.

Mr. Roy testified in support of the application. He described the firewood processing he engages in at his Queen Anne's location and wishes to engage in on the Property. Felled trees are brought in from different projects as a waste product that is repurposed into firewood as opposed to ending up in landfills, he said. The firewood processing machinery cuts trunks up to 40 feet long (but usually 18 feet maximum length, a more easily transportable size) into logs, splits them, and tumbles out the unusable material.

Although currently he has a backlog of wood to process, Mr. Roy said that once that pile is processed, a load or two per day is average. He said he has two employees processing wood, moving back and forth between Queen Anne's and Talbot County locations. Wood is normally split as it comes in, and backlogs are unusual, Mr. Roy said. Firewood processing on the Property will occur toward the rear, furthest away from Chapel Road, while still adhering to the 200-foot setback.

The processing machinery, Mr. Roy said, uses a six-cylinder diesel engine that does not produce significant noise. From his office in Queen Anne's County, 150 feet away from the machinery, he said, he can hardly hear any noise. Mr. Roy said he has had no complaints from neighbors within 300 feet of his Queen Anne's processing operations. The closest neighbor to the Property in Talbot, he said, is 1,200 feet, and there is no residence on that agricultural parcel.

Mr. Smith said the processing equipment came from a farm in Talbot County where neighbors were located closer than 1,200 feet. The equipment's manufacturer, Mr. Roy said, lists a noise level of 62 dba at 800 feet, a range in which no homes exist. He described the sound of the equipment as similar to that of a tractor and that it is a steady noise, not a sound that goes up and down like a chainsaw. Mr. Roy said processing would not occur before 8 a.m. and never on Sundays. At most, six employees would be present at a time on the Property, Mr. Roy said, but

typically no more than two and typically only two or three days per week. A six-wheeled vehicle will bring felled trees into the Property in two or three loads, usually not every day per week, Mr. Roy said, while the firewood will leave the Property in both six-wheeled trucks and pickups. The firewood business is seasonal and according to demand, he said. In general, wood from Queen Anne's County will stay in Queen Anne's, and wood from Talbot County will stay in Talbot, Mr. Roy said.

Mr. Roy said he understood that the Public Works Department is reviewing the application and Property and that, if upgrades in the access to the Property from Chapel Road were necessary to comply with Talbot County standards, he would be required to perform those upgrades. Mr. Roy described the roadway to the Property as adequate.

Members of the Board asked the Applicant questions. Mr. Krebeck asked Mr. Roy what happens to debris that is removed from the trees during the processing. Mr. Roy said the debris is hauled offsite and given to facilities that make mulch, and that when the issue of mulching on-site was raised at the Planning Commission, he stated he would not engage in that activity because it produces too much noise. When asked by Mr. Krebeck what a reasonable height limit for stockpiles would be, Mr. Roy said he's never had a 40-foot-tall stockpile at his Queen Anne's facility and can easily comply with that limit.

In response to questions about the 40 parking spaces shown on the site plan, Mr. Ewing said excess parking beyond what was required was shown in anticipation that storage structures would be counted as gross floor area. Because it has been confirmed that they will not be, Mr. Ewing said, 15 or so spaces can be removed. Even though Mr. Roy testified that he would not need even the reduced amount of parking, Mr. Ewing said that a certain minimum number of

spaces are needed just to comply with the agricultural processing and nursery uses, structures related, portions of the Code – even if those spaces will be unused.

Mr. Dorsey asked the Applicant to enumerate on how the use will not be detrimental to the economic value of neighboring properties. Mr. Smith said this question arose at the Planning Commission. The Town Conservation zone, he said, includes properties the County foresees eventually being annexed into the Town of Easton for development. Mr. Roy, he said, likes the location of the Property, but recognizes there may be a higher, better use in the future and that at some point the County and Town may decide it should be part of the Town of Easton and developed. Mr. Roy's business is one that can relocate, Mr. Smith said, at which time equipment can move and only nursery trees would need to be removed from the ground, but the proposed use is a good interim use for the Property. Another alternative, he said, is to subdivide the Property into three residential lots, which is a much more permanent, less efficient use. The Applicant's proposed use, Mr. Smith said, maintains the aesthetics of a farm and a similar function to a farm, consistent and compatible with nearby farm uses.

Currently, the Property contains debris and deteriorating structures, Mr. Smith said, and the Applicant's project is actively cleaning up the site. Mr. Roy said his proposal will enhance the value of the Property and surrounding properties. He said he had spent tens of thousands of dollars in cleanup on the Property, which people used to use as a de facto dump site. He has removed old greenhouse components, but will keep the historic barn.

Acknowledging Mr. Roy's statement that firewood would leave the site in generally no more than two or three truckloads per day, Mr. Dorsey asked the Applicant to explain how movement of nursery plantings would affect traffic. Mr. Roy said the trees that will be moved are large trees. "It's rare that you'll be moving a 25-foot tree," he said. "They're very expensive to

purchase like that – that’s on demand.” Mr. Roy said that when he removes a tree from a customer’s property, he has to plant more as mitigation. “When someone loses a prize tree, they don’t want a 2-inch tree,” he said. “They don’t want to wait 10 years.” Mr. Roy described the process of using his spade equipment to dig and transport trees, adding that it is a new operation for him but not something that would occur even once per day. Mr. Jones said there are only limited periods during the spring and fall that a sizeable tree can be planted and survive; summer and winter are off-limits. In response to a follow-up question from Mr. Dorsey, Mr. Smith said that a finding to be issued by Public Works on additional traffic impacts, as mentioned in the Staff Report, had not yet been issued, but that if such a finding required improvements to be made, the Applicant will comply to obtain final approval.

Mr. Dorsey asked the Applicant to explain his statement that the Property will not be open to the general public, asking how, for example, a landscaping contractor obtains trees from the nursery. Mr. Roy said a contractor would call and that he or his employees would deliver; at no time should contractors be entering the Property. Trees, he said, are moved with 90-inch tree spades – “I don’t know of any others that large in Talbot County.” Contractors need his equipment to pick up a tree and take it to their site. As far as firewood, if a customer needs to pick it up as opposed to delivery, they would do so at the Queen Anne’s location.

Mr. Shortall said that he had been in the neighborhood of the Property during fall 2020 and heard “what sounded like chippers and mulchers.” Mr. Roy said that he has never chipped nor mulched, and that other than tree cleanup, his activity during that time could have been hauling out debris left behind from the prior owner, highlighting the array of objects that were removed. In response to a question of how logs arriving to the Property are placed in a pile, Mr. Roy said a cone splitter is used to break the wood down to a manageable size. Mr. Shortall said

what he heard was “noisy” and asked if vehicles with backup beepers were used on the Property. Mr. Roy said the Bobcat loaders may utilize them. He said that once the backlog of wood is processed, he will split wood as it arrives and would confine his operations to a 15,000 square-foot area.

Mr. Shortall said he did not believe the use is an agricultural use, but more of a commercial operation. He asked about large equipment covered in tents, to which Mr. Roy responded that this is equipment for nursery purposes, including a crane that has been used to set large trees and a spray truck for spraying trees.

Mr. Smith said the uses prohibited and permitted by special exception contained within the Code are not exhaustive. If a use is not listed, it’s generally not permitted, he said, but the Code makes clear that if a use is not listed, but the Planning Officer makes a determination that it is similar to listed use, it can be approved as a special exception¹. In 2020, the prior Planning Officer made a determination that the use sought by the Applicant was similar to agricultural processing and distinguishable from general commercial use. Mr. Shortall said he strongly disagreed with the prior Planning Officer’s determination.

Mr. Jones agreed with Mr. Shortall’s position and said that, while timber harvesting would seem similar enough to an agricultural use, the requested use should not have been categorized as such. Mr. Jones said that firewood processing already exists as a use in the Code within cottage industries ancillary to a primary residence, with restrictions as to the number of trucks, trips in and out of a property and a more restrictive buffer requirement than the requested special exception. Similar restrictions should be appropriate for a special exception use, which is more intensive than a cottage industry use, Mr. Jones said. Mr. Smith said cottage industry use

¹ See Chapter 190, Article I, § 190-3.4 B. 2. and Article IV, § 190-25.1 of the Talbot County Code.

and restrictions were not contemplated because Mr. Roy does not live on the Property. The Property, Mr. Smith said, is a 20-acre farm parcel surrounded by fields, whereas a cottage industry can occur within a residential neighborhood. The restrictions contained within the cottage industry uses, Mr. Smith said, are to protect residential neighbors. He added that the State of Maryland assesses the Property as an active agricultural processing use based on the fact that a nursery use will exist onsite, and firewood processing will not take away this designation.

Mr. Shortall asked the Applicant about the number and size of trees that will be planted on the Property as part of its nursery operation. Mr. Roy said he will plant fast-growing loblolly pines at first, mostly 3-4 inch caliber specimens, and that he intends to plant a minimum of four acres. Mr. Ewing said a landscape buffer will be installed to complement the natural buffer created by the nursery plantings, both of which will dampen sound. Mr. Shortall and Mr. Jones said large trees provide visual screening but not much sound buffering. Mr. Shortall said he continued to have doubts about noise on the Property, and Mr. Smith said the Applicant will have to live within the scope of a special exception approval, if granted.

Mr. Jones said the Applicant had represented the expected noise levels of the firewood processing machinery and that it would be located at the far corner of the Property; however, an approval of the special exception request would be approving the use as to the entire parcel, so conditions should be considered that address the use and potential future issues with neighbors. Mr. Smith said the Applicant has a good relationship with neighbors situated much closer to his machinery at his Queen Anne's location and wants to be a good neighbor in Talbot.

Mr. Jones discussed a previous application several years ago by Extreme Enterprises, LLC, using an area next to the Midshore Regional Landfill for motorbike sports. After its approval for a special exception use, Easton Club East was built. Mr. Jones said the residential

neighborhood was not close to the Extreme Enterprises parcel in terms of zoning regulations, but neighbors were upset about noise from dirt bikes, even though on a site visit he could not hear the noise. Mr. Jones said he was concerned about the proximity of the Property to residential development across Chapel Road as well as Galloway Run. A lack of complaints from neighbors to Mr. Roy's facilities in Queen Anne's County is noted, Mr. Jones said, though Mr. Shortall added that the Queen Anne's location doesn't have the same type and scale of uses planned for Talbot County and that "sound travels a long way."

Mr. Dorsey said that he was not on the Board during the time that Extreme Enterprises came before it, but that, as a resident of Easton Club East, he could hear more sound from Route 50 traffic than the motorsports facility. In comparison, he said, the Property will be located close to traffic from Chapel Road as well as Route 50. "I think the noise level is already there," Mr. Dorsey said. "I don't know how much more noise this site will generate that would be objected to by neighbors."

The Applicant said he would comply with conditions stipulated by the Planning Commission, that he would disable any backup beepers on equipment, and that he expected cleanup efforts to finish sometime in the summer of 2021.

Although he disagreed with the classification of firewood processing as an agricultural use, the fact that such a determination was made means, he said, mean that "there needs to be something really odd about this site that would say it shouldn't be here, but somewhere else in the TC zone." The Property is sizeable, and the operations are planned for the far corner. "I'm not sure I could find a better site," Mr. Jones said. Mr. Cavanaugh agreed, stating that even if Board members disagreed with the classification of the use as similar to agricultural use, the

Applicant has made a good-faith effort to place his operations as far from residential properties as possible.

In response to a comment that the Applicant could return before the Board if alleged violations of the Talbot County Noise Ordinance, Chapter 92.5 of the Code, arose, Mr. Dorsey pointed out that agricultural uses and associated machinery are exempt from the ordinance. Mr. Jones said the Board cannot undo the exemption and create new law, but that the Applicant can be bound by a representation made on the record. The Board asked if the Applicant would agree to a condition that noise coming from the firewood processing equipment shall not exceed 62 dba measured at 800 feet from the equipment. The Applicant said he would accept such a condition.

The Board then considered the application. Based on the testimony, application and exhibits, upon motion and seconded, the Board approved the requested special exception modification and variances, by a vote of four to one.

The Board made the following findings of fact and law:

1. All legal requirements pertaining to a public meeting were met.
2. The use will be consistent with the purposes and intent of the Talbot County Comprehensive Plan. Shortly after the 2005 Comprehensive Plan completion, the County adopted the Town Conservation zone as a means to discourage suburban-style sprawl development in areas identified to be slated for future annexation into towns, with the idea that these areas may possibly be used for future urban scale development. The TC zone is mainly on the east side of Route 50, surrounding the current Easton town boundaries. Additional TC zoning exists along both sides of Route 50 at the southernmost limit of the Town of Trappe. Chapter 9, Community

Design and Appearance provides a goal in the Countywide Design Policies 9.5 that states “The County should encourage vegetative buffers and landscaping for new and existing development, where such planting can be accommodated.” In the Design and Redevelopment section, #c directs that the Code should “require parking lots to be landscaped and screened from roadways.” This section is followed by an entire section titled “Landscaping and Site Treatment” that is dedicated to providing streetscapes, screened parking and service yards. The existing site contains a few mature trees and some vegetative edging to the north and west sides of the Property. The Applicant is providing the required landscape yard screening, as well as an additional four acres of forest conservation along the northern and eastern property lines. Additionally, the plant nursery will add an opaque border on the south side. The “Quality of Life” definition in the Comprehensive Plan includes “convenient access to goods and services.” The firewood business is a service provided for and utilized by many in Talbot County. Very few citizens have the access and equipment to prepare wood for firewood. Preservation of the existing barn on the Property contributes to “community character” and the “unique rural landscape.” The development as proposed is at the far edges of the Property or utilizes existing conditions, leaving large areas of open space. The parcel lay dormant and in disrepair for nearly a decade before being purchased by the previous owner. Several pre-application meeting applicants desired to subdivide the land into three lots. The current development plan does not appear to propose any “un-adaptable” improvements to the site that would be any less compatible than a three-lot subdivision.

3. The use will comply with the standards of the zoning district in which it is located, except as those standards may have been modified by the granting of a variance. The existing buildings meet setbacks associated with the TC zone. The agricultural processing use includes an additional 200-foot supplemental setback for all structures and storage areas. The existing barn structure, the proposed equipment tarps and the 15,000-square-foot agricultural processing area all meet this setback requirement. The nursery use has no special conditions or supplemental regulations outside the requirements for the TC zone.
4. The scale, bulk and general appearance of the use will be such that the use will be compatible with adjacent land uses, with existing and potential uses in its general area, and will not be detrimental to the economic value of neighboring properties. The site is surrounded almost entirely by actively tilled farmland zoned TC. Several additional land uses, including a mix of urban residential and commercial development, exist further outside the site, most of which are under the Town of Easton jurisdiction. This use will have little visual effect on surrounding development. Screening is proposed on all four sides of the Property with required landscaping and forest conservation areas as shown on the Applicant's site plan exhibit. The Applicant does not propose to burn any byproducts of the firewood processing.
5. The use will not constitute a nuisance to other properties and will not have significant, adverse impacts on the surrounding area due to trash, odors, noise, glare, vibration, air and water pollution, and other health and safety factors or environmental disturbances. The site should not generate any trash, odors, glare or air

and water pollution. As indicated by the Applicant, the nursery use is a relatively passive use. There will be noise associated with the firewood processing; however, the Applicant anticipates such noise will be mitigated by the location of the processing area, the expanded setbacks from property lines, landscape buffers and the existing noise from Chapel Road and Route 50. Chapter 92.5 of the Talbot County Code creates an exemption from the Noise Ordinance for agricultural uses. However, the Applicant has agreed to a condition that noise coming from the firewood processing equipment shall not exceed 62 dba measured at 800 feet from the equipment.

6. The use will not have a significant adverse impact on public facilities or services, including roads, schools, water and sewer facilities, police and fire protection or other public facilities or services. There are no anticipated impacts to public facilities. The Applicant does not anticipate any additional impacts to Chapel Road. The Property will be served by a private sewage disposal area and well, which will be reviewed and approved by the Environmental Health Department as part of the site plan.
7. The use will not have a significant adverse effect upon marine, pedestrian or vehicular traffic. The traffic on Chapel Road in this area is moderately heavy given its close proximity to Route 50. The Applicant indicated that the anticipated traffic to and from the Property would be 2-3 log trucks with 16- to 18-foot bodies at intervals of 2-3 times per day during the week, although usually not every day. The Applicant also said firewood sales are seasonal, with deliveries leaving the Property up to 6-8 times per day from October through April. No marine or pedestrian traffic will be affected by the proposed uses.

8. The use will not produce traffic volumes that would exceed the capacity of public or private roads in the area or elsewhere in the County, based on the road classifications established in Chapter 134, the Talbot County Roads and Bridges Ordinance, and other applicable standards for road capacity. According to §134-12 D.(2)(a)[1], an impact study is not required if a proposed development creates less than 50 daily trips (one way). Public Works is reviewing the project for additional impacts as part of the site plan review process. Chapel Road is designated in the Comprehensive Plan as a local road. This road receives relatively high traffic volumes due to the commercial development adjacent to Route 50, the residential developments in the surrounding area, and a cut-through to Black Dog Alley and Matthewstown Road during times of higher traffic volumes along Route 50.
9. Any vehicle access to proposed off-street parking areas and drive-in facilities will be designed to minimize conflicts between vehicular, bicycle and other pedestrian traffic and to minimize impacts on adjacent properties and on public or private roads. In addition, any resulting commercial and truck traffic should not use a residential street nor create a hazard to a developed residential area. The Property will not be open to the public. The Applicant has provided ample parking consistent with the Code requirements. The Applicant testified that only 2-6 employees would be on-site during seasonal operation hours.
10. The use will not significantly adversely affect wildlife with respect to the site's vegetation, water resources, or its resources for supplying food, water, cover, habitat, nesting areas or other needs of wildlife. Habitat will be enhanced by additional tree plantings. As indicated previously, the site and associated improvements are in

disrepair, and the Applicant is proposing to clean these areas up and utilize them as part of this operation. No additional resources or habitat areas will be impacted by the proposed development.

11. The use will not significantly adversely affect adjacent existing agricultural uses. No impacts to agricultural lands are anticipated.


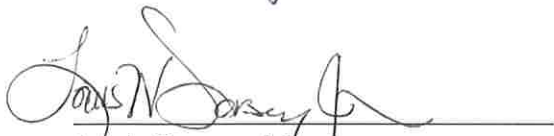
HAVING MADE THE FOREGOING FINDINGS OF FACT AND LAW, IT IS, BY
THE TALBOT COUNTY BOARD OF APPEALS,

RESOLVED, that the Applicant, **JBR ARRINGTON ROAD, LLC** (Appeal No. 21-1718) is **GRANTED** the requested special exception consistent with the evidence presented to the Board of Appeals, subject to the following conditions:

1. The Applicant will need to provide a revised site plan that shows the equipment tarps and the barn labeled as accessory to the plant nursery use.
2. The Applicant will need to delineate areas on the site plan for the firewood stockpile and storage to include the height of the firewood piles.
3. The Applicant shall take all of the required steps and acquire all necessary approvals, including any additional waivers necessary, required for a Site Plan and Landscaping Plan as spelled out in the Code.
4. Noise levels shall not exceed 62 dba measured at 800 feet from the firewood processing machinery.

GIVEN OVER OUR HANDS, this 29th day of May, 2021.

TALBOT COUNTY BOARD OF APPEALS


Phillip Jones, Chairman
Frank Cavanaugh, Vice-Chairman
Louis Dorsey, Member
Paul Shortall, Member
Zakary Krebeck, Member